

EXHIBIT 1

From: [Clendenen, Michael P. \(CIV\)](#)
To: [Jonathan Shaw \(Dhillon Law\)](#); [Resar, Alexander W. \(CIV\)](#)
Cc: [David Warrington \(Dhillon Law\)](#); [Michael Columbo \(Dhillon Law\)](#); [Bakst, Laura B. \(CIV\)](#)
Subject: RE: Continuing violations of the Preliminary Injunction by ATF
Date: Tuesday, October 17, 2023 2:18:30 PM

Good afternoon Mr. Shaw,

It is not possible for ATF to identify the specific instances of alleged non-compliance based solely on the information you have provided. Please provide the names of the three or four members who you claim are being contacted in violation of the injunction so that ATF can confirm that such parties and alleged enforcement actions are subject to the injunction and, if so, ensure such enforcement desists.

Respectfully,

Michael P. Clendenen

Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW, Room 12028
Washington, DC 20005
(P): 202-305-0693
(C): 202-532-5747
michael.p.clendenen@usdoj.gov

From: Jonathan Shaw (Dhillon Law) <JShaw@dhillonlaw.com>
Sent: Monday, October 16, 2023 11:54 AM
To: Resar, Alexander W. (CIV) <Alexander.W.Resar@usdoj.gov>; Clendenen, Michael P. (CIV) <Michael.P.Clendenen@usdoj.gov>
Cc: David Warrington (Dhillon Law) <DWarrington@dhillonlaw.com>; Michael Columbo (Dhillon Law) <MColumbo@dhillonlaw.com>; Bakst, Laura B. (CIV) <Laura.B.Bakst@usdoj.gov>
Subject: [EXTERNAL] RE: Continuing violations of the Preliminary Injunction by ATF

Mr. Resar,

Of course the associational plaintiffs and their members are neither willing nor required to sacrifice their First Amendment rights in order to enjoy the protection of the preliminary injunction. If the government intends to insist on that, rather than, for example, agreeing to check with us *before* taking action that would violate the preliminary injunction, then we will have no choice but to raise the issue with the Court.

In the meantime, I write to advise you that two other ATF agents – [REDACTED] [REDACTED] ([REDACTED]) and an agent from the Pensacola field office ([REDACTED]) – are violating the preliminary injunction by harassing NAGR members about forced reset triggers. Please confirm that you are contacting these agents and that they will desist immediately.

Yours,

Jonathan M. Shaw | Partner | DHILLON LAW GROUP

2121 Eisenhower Avenue, Suite 608

Alexandria, VA 22314

Direct: 703.748.2266

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Admitted to practice in Maryland, Virginia, and the District of Columbia

SAN FRANCISCO ADDRESS:

177 Post Street, Suite 700

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Phone: 415.433.1700 | Fax: 415.520.6593

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From: Resar, Alexander W. (CIV) <Alexander.W.Resar@usdoj.gov>

Sent: Friday, October 13, 2023 9:28 AM

To: Jonathan Shaw (Dhillon Law) <JShaw@dhillonlaw.com>; Clendenen, Michael P. (CIV) <Michael.P.Clendenen@usdoj.gov>

Cc: David Warrington (Dhillon Law) <DWarrington@dhillonlaw.com>; Michael Columbo (Dhillon Law) <MColumbo@dhillonlaw.com>; Bakst, Laura B. (CIV) <Laura.B.Bakst@usdoj.gov>

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External Email

Jonathan –

ATF has been provided with a list of known members of the associational plaintiffs to ensure those individuals are afforded the protections provided by the PI. Because the associational plaintiffs do not appear to maintain public lists of their members, however, the list provided to ATF is limited to the declarants in this action who have asserted membership. To ensure no similar situation arises and ATF remains in compliance with the PI, please provide lists of the National Association for Gun Rights and Texas Gun Rights, Inc. members covered by the PI. Those lists will then be provided to

ATF. Without those lists, ATF obviously has no way of knowing whether the individuals it contacts are members of the associational plaintiffs and will be forced to rely on the individuals contacted to provide notice of their membership.

Best,
Alex

Alexander W. Resar
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
Office Tel: (202) 616-8188
Work Cell: (202) 698-7331

From: Jonathan Shaw (Dhillon Law) <JShaw@dhillonlaw.com>
Sent: Thursday, October 12, 2023 6:57 PM
To: Clendenen, Michael P. (CIV) <Michael.P.Clendenen@usdoj.gov>
Cc: David Warrington (Dhillon Law) <DWarrington@dhillonlaw.com>; Michael Columbo (Dhillon Law) <MColumbo@dhillonlaw.com>; Resar, Alexander W. (CIV) <Alexander.W.Resar@usdoj.gov>; Bakst, Laura B. (CIV) <Laura.B.Bakst@usdoj.gov>
Subject: [EXTERNAL] RE: Continuing violations of the Preliminary Injunction by ATF

Following up on this, I am told that the agent in question is named something that sounds like [REDACTED] and that her phone number is [REDACTED].

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From: Jonathan Shaw (Dhillon Law)
Sent: Thursday, October 12, 2023 6:07 PM
To: Michael.p.clendenen@usdoj.gov
Cc: David Warrington (Dhillon Law) <DWarrington@dhillonlaw.com>; Michael Columbo (Dhillon Law)

<MColumbo@dhillonlaw.com>; alexander.w.resar@usdoj.gov; Laura.b.bakst@usdoj.gov

Subject: Continuing violations of the Preliminary Injunction by ATF

Mr. Clendenen,

I had hoped when we spoke on Monday that the contact by an ATF agent with a member of NAGR seeking to get him to surrender a forced reset trigger was an isolated incident and that the government would promptly take steps to make sure that all of its personnel understood their obligations under the Court's order. Apparently not. We continue to hear from NAGR members who have been receiving threatening messages from ATF personnel demanding the surrender of their property as recently as today.

Please advise (a) what steps ATF has already taken to ensure that its personnel understand their obligations under the Court's Order and, since those steps have clearly been inadequate, (b) what steps the government intends to take to ensure that these violations of the preliminary injunction cease immediately.

Thank you,

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